

***Fisheries Proposed Commercial Fishing Code Book  
Language  
for Implementation in 2008***

**01.00-C**  
**04-07**

**DEFINITION OF TERMS.** For the purposes of the Arkansas Game and Fish Commission Code of Regulations, the following terms shall be construed, respectively, to mean and include:

**AQUACULTURE SPECIES** – Any species listed on the Approved Aquaculture Species List (available from the Fisheries Division) and species not listed but allowed under Unlisted or Restricted Species Possession Permits.

**ADULT GOBBLER** – Male turkeys having at least one of the following characteristics: a) tail feathers which are the same length, b) wing feathers that have white barring all the way to the tip or c) a beard more than six (6) inches in length.

**ALLIGATOR DEALER** – Any person, firm or corporation engaging in the sale, purchase, barter or exchange of an American alligator (*Alligator mississippiensis*) or other crocodilian species, or any part, nest or eggs thereof in the State of Arkansas.

**ALLIGATOR FARMER** – Any person, firm or corporation possessing an American alligator (*Alligator mississippiensis*) or other crocodilian species, or any part, nest or eggs thereof in the State of Arkansas for the purpose of propagation production or rearing.

**ALLIGATOR SNAPPING TURTLE DEALER** - Any person, firm or corporation engaged in the sale or purchase of alligator snapping turtles.

**ALLIGATOR SNAPPING TURTLE BREEDER** - Any person, firm or corporation possessing alligator snapping turtles for the purpose of propagation, production, rearing or sale.

**ANIMAL** – An organism of the animal kingdom, as distinguished from the plant kingdom, including any part, product, egg or offspring thereof.

**ANTLERLESS ELK** - Any elk (male or female) not meeting requirements to be a legal bull elk.

**AQUATIC WILDLIFE** – Aquatic Snails, Aquatic Turtles, Crayfish (Crawfish, Crawdads), Fish (including Minnows), Frogs, Mussels and Salamanders.

**ARKANSAS RIVER BOUNDARY (Sportfishing Only):** The Arkansas Post Canal from Lock and Dam #1 to the Arkansas River and the Arkansas River from Dam #2 upstream to the Oklahoma state line including all lakes, bays and tributary streams accessible by boat from the main channel except that portion of Big Bayou Meto upstream from Hwy 11, Plum Bayou upstream from Hwy 79, Little Maumelle River upstream from Pinnacle State Park, Maumelle River upstream from Lake Maumelle Dam, Fouché LaFave

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upstream from Hwy 113, Palarm Creek upstream from Interstate 40, Cadron Creek upstream from the weir, Point Remove Creek upstream from Hwy 113, Petit Jean River upstream from Pontoon Boat Ramp at Hwy 154, Illinois Bayou upstream from Russellville Waterworks Dam, Big Piney and Little Piney Creeks upstream from Hwy 359, Horsehead Creek upstream from Interstate 40, Mulberry River upstream from Interstate 40, Frog Bayou upstream from Hwy 162 and Lee Creek upstream from Lee Creek Dam, and from the first non-navigable shoal for streams entering the Arkansas River along the left bank ascending from Lake Dardanelle Dam to the Oklahoma state line.

**ARTIFICIAL LURE/FLY** - Terminal fishing tackle made by the method of fly tying, or made entirely of rubber, wood, metal, glass, feathers, hair, synthetic fibers or plastic, with hook attached.

**BAG LIMIT** - The number of species allowed to be taken in a time period - 24 hours (12 o'clock midnight to 12 o'clock midnight) unless otherwise specified.

**BAITFISH** – Minnows (including bluntnose minnows, bullhead minnows, chubs, crayfish, dace, fatheads, common carp under 6 inches, small goldfish, shiners and stonerollers), logperch (also called sand pike or zebra minnows), shad, gar (other than alligator gar), drum, bowfin under 6 inches, skipjack herring, silversides (brook and inland), buffalo (bigmouth, smallmouth and black), river carpsucker, sculpin (banded and Ozark), bream 4 inches and under, and bream over 4 inches that are caught by hook and line.

**BAITING** – The direct or indirect placing, exposing, depositing, distributing or scattering of salt, grain or other feed that could serve as a lure or attraction for wildlife to, on or over any areas where hunters are attempting to take them.

**BIG GAME** – Alligator, bear, deer, elk and turkey.

**BLACK BASS** - Largemouth bass, redeye bass, smallmouth bass and spotted bass.

**BLOCKING OUT** – The removal of the head and/or tail associated with the processing of a commercial fish. The blocked-out carcass (bullet) must be at least the minimum length required for the body of water where the commercial fish was harvested (see Code 41.12 for minimum length limits).

**BONUS DEER** – A harvested deer that is not included in a hunter's statewide bag limit.

**BOX TYPE TURTLE TRAP** – A floating trap designed to capture aquatic turtles, but does not permit capture of fish (See Code 39.04 for restrictions).

**BREAM** - Any species of the genus *Lepomis*, including bluegill, redear, warmouth and other sunfish.

**BUCK** – A male deer (See LEGAL BUCK definition).

**BUCK DEER SEASON** - Any deer season whereby no deer other than legal buck deer may be taken.

**BULL ELK (legal)** - Any elk having at least one antler visible above the hair line.

**BUY** – To purchase, barter, exchange or trade and includes any offer to purchase, barter, exchange or trade.

**CAPTIVITY or HOLD CAPTIVE** – The holding of living wildlife in a controlled environment that is manipulated by man for the purpose of exercising ownership, possession or control of the wildlife, and that has boundaries designed to prevent selected species from entering or leaving the controlled environment.

**CARCASS** – The body of a dead animal.

**CASE** - A container specifically designed for the purpose of housing a gun which completely encloses such gun by being zipped, snapped, buckled, tied or otherwise fastened with no portion of the gun exposed.

**CATCH-AND-RELEASE** – The requirement that fish of a designated species must be immediately released into the water where caught.

**CERVID** – A member of the family Cervidae.

**CHASE FOR PLEASURE** – To search for, pursue or chase game animals or other wildlife with the use of dogs for recreational purposes only, with no intent of taking or attempting to take such game animals or wildlife through the possession or use of any killing device.

**CHRONIC WASTING DISEASE (CWD)** – Fatal disease affecting the brain of cervids that belongs to a group of diseases called transmissible spongiform encephalopathies.

**CHUMMING** – To dislodge or deposit any substance not attached to a hook which may attract fish.

**CITY, COUNTY, STATE OR FEDERALLY MAINTAINED ROAD** - Any road graded or otherwise repaired by any city, county, state or federal agency in the state of Arkansas.

**CLEAN** – Having no meat matter or tissue attached to the carcass part.

**COMPUTER ASSISTED HUNTING** – The use of a computer or any other device, equipment or software to remotely control the aiming and discharge of a firearm, bow or crossbow to kill wildlife located in the state of Arkansas.

**COMMERCIAL FISH** – Bowfin (over 6 inches), buffalo, catfish, carp, drum, gar, paddlefish, sucker family, white amur and sturgeon.

**COMMERCIAL FISHERMAN** - Any person who fishes with tackle designated as commercial tackle requiring a license and/or tag issued by the Commission.

**COMMERCIAL WILDLIFE PERMIT(S)** – Shall be a term construed to identify each and/or all of the following permits: Alligator Farmer/Dealer Permit, Alligator Snapping Turtle Breeder/Dealer Permit, Resident Shell Taker and Seller Permit, Shell Buyer Permit, Non-Resident Shell Buyer Permit, Resident Roe Taker/Seller Permit, Resident Roe Buyer/Exporter Permit, Non-Resident Roe Buyer Permit, Resident Fur Dealer Permit, Non-Resident Fur Dealer Permit, Special Commercial Quail Permit, Game

Bird Shooting Resort Permit, Wildlife Hunting Resort Permit, Wildlife Breeder/Dealer Permit and Wildlife Translocation Permit.

**COMMISSION** - The Arkansas State Game and Fish Commission, unless otherwise designated.

**DEFERRED HUNTER EDUCATION – Shall be a term whose abbreviation**

**DHE (DHE) when dealer imprinted on an Arkansas hunting license/ permit defers completion of hunter education certification while said license/ permit is valid.**

**DISABLED** - Any individual who is 100% permanently and totally disabled as declared by the following federal agencies: the United States Social Security Administration, the United Department of Veteran's Affairs or the United States Railroad Retirement Board.

**DOE** – A female deer.

**DOE DEER SEASON** – Any deer season whereby a doe may be taken.

**DROWNING SET** - Any leg hold trap that utilizes one or more of the following techniques to retain the target animal in water of suitable depth for drowning. These are: (1) a slide wire with lock; (2) tangle stake; or (3) drowning weight.

**DUCKS** (includes the following species) – All species of Teal, Merganser, Whistling Duck and Scaup; American Wigeon, American Black Duck, Bufflehead, Canvasback, Gadwall, Goldeneye, Mallard, Mottled Duck, Northern Shoveler, Redhead, Ring-necked Duck, Ruddy Duck, Northern Pintail and Wood Duck.

**EITHER-SEX** – A male or a female.

**EITHER-SEX DEER SEASON** – Any deer season whereby a doe or a legal buck may be taken.

**ENCLOSE** – To surround species of wildlife on all sides using man-made barriers, including but not limited to fencing, walls, structures or other devices, so that the wildlife are not free to leave a particular environment.

**ENCLOSURE** – Any area surrounded by a man-made barrier, including but not limited to fencing, walls, structures or other devices that prevent wildlife from leaving a particular environment.

**ENDANGERED SPECIES** - any wildlife species or subspecies endangered or threatened with extinction listed by the U. S. Department of Interior and the following native species hereby designated in Arkansas:  
**MAMMALS:**

Gray bat (Myotis grisescens), Indiana bat (Myotis sodalis), Ozark big-eared bat (Corynorhinus townsendii ingens).

**BIRDS:**

Bald eagle (Haliaeetus leucocephalus), least tern (Sterna antillarum), Bachman's warbler (Vermivora bachmanii), red-cockaded woodpecker (Picoides borealis), ivory-billed woodpecker (Campephilus principalis).

**REPTILES:**

American alligator (Alligator mississippiensis). **Currently listed as threatened due only to similarity in appearance to the American crocodile (Crocodylus acutus).**

## FISHES:

Ozark cavefish (Amblyopsis rosae), leopard darter (Percina pantherina), pallid sturgeon (Scaphirhynchus albus);

## MOLLUSKS:

Scaleshell mussel, Curtis' pearly mussel, (Epioblasma florentina curtisi), fat pocketbook pearly mussel (Potamilus capax), pink mucket mussel (Lampsilis abrupta), turgid blossom mussel (Epioblasma turgidula), speckled pocketbook mussel (Lampsilis streckeri), Arkansas fatmucket mussel (Lampsilis powelli), winged mapleleaf mussel (Quadrula fragosa), Magazine Mountain shagreen land snail

(Inflectarius magazinensis); scaleshell mussel (Leptodea leptodon), Ouachita rock pocketbook mussel (Arkansia wheeleri);

## ARTHROPODS:

Cave crayfish (Cambarus zophonastes) and (Cambarus aculabrum);

## INSECTS:

American burying beetle (Nicrophorus americanus);

## PLANTS:

Geocarpon minimum (no common name), pondberry, (Lindera melissifolia), Missouri bladderpod (Lesquerella filiformis), Harperella (Ptilimnium nodosum), Eastern prairie fringed orchid (Platanthera leucophaea), running buffalo clover (Trifolium stoloniferum);

**FEE LAKE** - A lake in which there is a charge for fishing privileges. All persons 16 years of age and older must possess an Arkansas fishing license. Daily limits apply.

**FERAL HOG** – Any hog (Sus scrofa), including Russian and European wild boar, which is roaming freely upon public lands and is living in a wild or feral state.

**FIREARMS, LOADED** - Firearms shall be considered to be loaded if shells or cartridges are in either the chamber, magazine or cylinder; percussion cap muzzle-loading firearms are considered loaded if the percussion cap is on the nipple; flintlock muzzle-loading firearms are considered to be loaded if there is powder in the flashpan.

**FISH or FISHING** - To lure, attract, collect or pursue fish species or aquatic wildlife for the purpose of taking or attempting to take such fish species or aquatic wildlife by any method.

**FISH FARM** - Waters and adjacent premises confined within a pond, tank or lake not connected with public waters, and under management by a fish farmer.

**FISH FARMER (AQUACULTURIST)** - Any person, firm, partnership or corporation engaged in the propagation or rearing of aquaculture species for sale.

**FREEFLOATING FISHING DEVICE** - Any floating fishing device unanchored or unattached to a stationary object.

**FURBEARERS** - Badger, beaver, bobcat, coyote, gray fox, red fox, mink, muskrat, nutria, opossum, raccoon, river otter, spotted skunk (civet cat), striped skunk and weasel.

**GAFFING FISH** - Taking or attempting to take fish with a hand held or handled hook prior to being caught on hook and line.

**GAME ANIMALS** – Alligator, black bear, bobcat, coyote, deer, elk, gray fox, red fox, mink, opossum, eastern cottontail rabbit, swamp rabbit, raccoon, gray squirrel and fox squirrel.

**GAME BIRD SHOOTING RESORT** - Any person, firm or corporation engaged, for pay or other consideration, who provides pen-raised birds for harvest by hunters.

**GAME BIRDS** - Turkey, quail, pheasant, chuckar, and all birds classified by the U. S. Fish and Wildlife Service as migratory game birds.

**GAME FISH** - Alligator gar, black bass, white bass, striped bass, striped bass hybrid, crappie, catfish, trout, bream, sunfish, goggle-eye, walleye, northern pike, muskellunge, sauger, paddlefish and pickerel.

**GEOCACHE** – Items in a container (cache) placed or hidden for individuals to subsequently find using a Global Positioning Satellite (GPS) receiver device.

**GEOCACHING** – An outdoor sport, similar to “high-tech treasure hunting”, involving use of a Global Positioning Satellite (GPS) receiver device to find a cache.

**GUIDE** - Any person who provides, for monetary or any other compensation, that person’s personal services for the purpose of assisting others to locate, pursue, catch or hunt wildlife.

**HIGH-FENCE ENCLOSURE** – An enclosure that contains an area of at least 500 contiguous acres, with at least sixty percent (60%) of the acreage in forested cover that has been classified as timberland by the local county tax assessor, that has a perimeter fence at least eight (8) feet high, with no cross-fencing that has the effect of reducing the size of the area to less than 500 contiguous acres with at least sixty percent (60%) of the acreage in forested cover as herein provided.

**HOGGING** – The taking of fish by the use of hands only in or under the water.

**HUNT or HUNTING** – To search for, pursue, chase, track, lure, attract or lie in wait of game animals or other wildlife for the purpose of taking or attempting to take such game animals or wildlife by any method.

**HUNTING PARTY** - Two or more persons hunting together.

**IMPORT** – To land on, bring into or introduce into any place within the jurisdiction of the State of Arkansas.

**IMPORTATION** – To ship, convey, carry or transport wildlife into or through the state by any means.

**JAKE** - Sub-adult turkeys having all of following characteristics: a) longer central tail feathers, b) outermost 1 or 2 wing feathers lacking white barring all the way to the tip and c) a beard six (6) inches or less in length.

**KILLING DEVICE** - Any firearm, bow and arrow, crossbow, pellet gun or any other device capable of killing wildlife.

**LEGAL BUCK** – A buck having both antlers under two inches (including button buck) or at least one antler with at least three points including the main beam, each a minimum of one inch long. (Ref. Code 21.03)

**LARGE CARNIVORE** – Tigers (*Panthera tigris*), African Lions (*Panthera leo*), or any hybrid thereof and all species of bears.

**LITTER** – **All waste which has been discarded or otherwise disposed of, including, but not limited to, convenience food and beverage packages or containers, trash, garbage, all other product packages or containers, and other post consumer solid wastes.**

**MIGRATORY BIRDS** – All birds protected by the federal Migratory Bird Treaty Act of 1918 and subsequent amendments.

**MIGRATORY GAME BIRDS** – Coots, crows, doves, ducks, gallinules or moorhens, geese, rails, snipe and woodcock.

**MINIMUM LENGTH LIMIT** – The shortest length of a fish, of a designated species, measured from the front of the lower jaw with the mouth closed to the tip of the tail with tail lobes pressed together, that an angler may keep. All fish not meeting the minimum length requirement for a particular water or species must be immediately released into the water where caught.

**MINNOWS** - small nongame fish commonly used for bait including bluntnose minnows, bullhead minnows, chubs, dace, fatheads, common carp under 6 inches, goldfish, shiners and stonerollers.

**MOBILITY IMPAIRED** - Individuals who are mobility impaired in accordance with criteria on the Game and Fish application for the mobility impaired card.

**NATIVE WILDLIFE** – Those species and sub-species of wildlife that have established, naturally reproducing, free-ranging, wild populations within the state of Arkansas.

**NIGHT** - thirty (30) minutes after sunset to thirty (30) minutes before sunrise.

**NOODLING** – The taking of fish by the use of a pole mounted breakaway hook that detaches at the time of the strike or catch, or snare type device, with an attached line manipulated by hand when a person is in or under the water.

**NONGAME WILDLIFE** - all wildlife other than furbearing or game animals, birds and fish.

**NON-RESIDENT** - Any person not defined as resident.

**NUISANCE WILDLIFE** - Any wild animal creating a problem by committing damage to personal property (Depredation Permit available).

**NUISANCE FURBEARING ANIMALS** - Beaver, muskrat and nutria.

**OPEN SEASON** - that season during which protected wildlife may be lawfully taken.

**PEN-RAISED QUAIL** - Quail that are hatched from eggs of quail raised in captivity in pens or cages.

**PERSON** - Any individual, firm, corporation, association or partnership in singular or plural as the context requires.

**POSSESS OR POSSESSION** - Having or holding wildlife, or any property in one's power; the exercise of dominion over property. Possession includes actual possession, which means physical occupancy or control over property, and constructive possession, which means control or dominion over property without actual possession or custody of the property.

**PROPAGATE or PROPAGATION** – To cause plants or animals to breed or multiply.

**PROTECTED SLOT LIMIT** – A species/size limit which prohibits anglers from keeping fish within a designated size group, and requires fish of that size and species to be immediately released into the water where caught.

**PROTECTED WILDLIFE** - all wildlife in the state unless a declared open season has been established by the Commission.

**PUT AND TAKE PAY LAKE** - Private waters open to public fishing for a fee, after being licensed by the Commission and where no fishing license or daily limit of fish is imposed.

**RAPTOR** - Any migratory bird of the Order Falconiformes or the Order Strigiformes and Ciconiiformes Family Cathartidae.

**REAR OR REARING** – To maintain plants or animals in order to increase their size or developmental stage.

**REHABILITATION** – The practice of providing medical treatment or other care to orphaned, sick or injured wild animals that have come into human possession with the goal of returning the animal to the wild.

**RESIDENT** - Any person who physically inhabits a bona fide residence within Arkansas for a period of time, no less than 60 days, and declares themselves to be a full-time resident of Arkansas. Additional facts to be considered in establishing proof of current Arkansas residency are:

- (1) Possession of a valid current Arkansas issued Driver's License or Arkansas issued I.D. card.
- (2) Possession of a valid Arkansas vehicle registration in their name and displaying current Arkansas license tags on their vehicle.
- (3) Other documentation may be taken into consideration to verify proof of Arkansas residency.

Possession of Arkansas real estate and/or proof of payment of associated services or utilities do not qualify the owner/renter as a resident if they live out of state.

**EXCEPTIONS:**

- (A) The following students, carrying proof of full-time enrollment in schools, colleges or universities while hunting or fishing in Arkansas,  
are eligible to purchase annual or trip resident license privileges:
  - (1) Residents of Arkansas enrolled as full-time students in



- colleges and universities outside of Arkansas.
- (2) Non-residents enrolled as full-time students in colleges and universities in Arkansas.
  - (3) Non-resident foreign exchange students attending school in Arkansas.
  - (4) Resident foreign exchange students attending school outside of Arkansas.
- (B) **The following military personnel are eligible to purchase annual or trip resident license privileges:**
- (1) **Active-duty military personnel assigned to duty stations in Arkansas.**
  - (2) Active-duty military personnel who were Arkansas residents at the time of entering service, regardless of where currently stationed.
- (C) Proof of at least one (1) year residency must be provided when applying for the following licenses:  
 \$1,000 Sportsman's permit, Resident Disabled 3-Year Licenses, Special Guide License, Alligator Farmer/Dealer Permit, Alligator Snapping Turtle Breeder/Dealer Permit, Commercial Fisherman's Permit & Sportfishing License, Commercial Fisherman's Helper Permit, Junior/Senior Commercial Fishing Permit, Resident Shell Taker/Seller Permit, Shell Taker Helper Permit, Shell Buyer, Resident Fish Dealer, Resident Roe Taker/Seller Permit, Resident Roe Taker Helper Permit and Resident Roe Buyer/Exporter Permit.
- (D) Proof of at least three (3) years residency must be provided when applying for the following licenses: 65 Plus Lifetime License. The Director or his representative shall make the final determination as to the resident status of any license applicant.
- ROUGH FISH** – Gars, bowfin, bullhead catfish, common carp, asian carp (grass carp, bighead carp, silver carp), suckers (including buffalo) and drum.
- SELL OR SALE** – To exchange or deliver for money or its equivalent; to offer for sale, barter, exchange or trade or the act of selling, bartering, consigning, exchanging or trading.
- SEINE** – A fishing net that hangs vertically in the water where the ends can be drawn together to entrap fish.
- SEINING** – The act of moving a seine by boat or human power to capture fish.
- SHELL BUYER** - Anyone who buys mussels or mussel parts from a Taker. An agent purchasing for a licensed buyer is not a buyer.

**SIMULATED WING MOVEMENT DECOYS** – Electronic, mechanically-operated, wind-powered or manually-powered devices that simulate wing movement, except for kite devices.

**SMALL GAME** – Furbearers, migratory game birds, quail, rabbit and squirrel.

**SNAGGING** – A method of taking fish using conventional rod and reel tackle where the fish is impaled by the forceful retrieval of one or more hooks.

**SNAGLINE** - Commercial tackle consisting of a horizontal line with hooks or drops less than 24 inches apart.

**SPORTFISH** – See game fish definition above.

**TACKLE** - Any rod, reel, pole, line, net, yo-yo, seine or any other apparatus or device used to take fish.

**TAKE** - To shoot, kill, injure, trap, net, snare, spear, catch, capture or reduce to possession.

**TAXIDERMY** - The art of preparing, stuffing and/or mounting of wildlife and parts thereof.

**TRANSLOCATION** – To ship, convey, carry or transport wildlife from one location to another by any means, including importation, exportation, interstate and intrastate movement.

**TRAP or TRAPPING** – To use a device, such as a clamp-like apparatus that closes, noose or cable restraint device (snare), for the purpose of catching and holding animals.

**TROUT** – Any members of the Salmonidae family including rainbow trout, brown trout, brook trout, lake trout and cutthroat trout.

**WATERFOWL** – All species of ducks, geese and swans.

**WATERS OF THE STATE** - All streams, lakes, sloughs, bayous, marshes or any other water wholly or partially within the State. Pay lakes and fish farms are excluded from the above.

**WILD** - to be living in a state of nature and not domesticated.

**WILDLIFE** - All wild birds, mammals, fish, reptiles, amphibians and other wild aquatic forms, and all other wild animals, regardless of classification, whether resident, migratory or imported, protected or unprotected, dead or alive, and shall extend to and include any and every part of any individual species of wildlife, including animals living in a captive state and which lack a genetic distinction from members of the same species living in the wild.

**WILDLIFE CHECK STATION** – An official wildlife check station is a Commission designated (1) county check station, (2) Commission employee, (3) deer camp or (4) Commission on-line checking web site <http://www.agfc.com>.

**WILDLIFE HUNTING RESORT** – A Wildlife Hunting Resort is any facility, location, business or operation that is engaged in offering the opportunity to hunt or attempt to hunt captive wildlife other than pen-raised game birds.

**WILDLIFE MANAGEMENT AREA (WMA)** - Designated areas set aside by the Commission and distinguished by certain markers and considered a separate zone with regard to wildlife regulations, referred to as "WMA", "Waterfowl Rest Area (WRA)", "Wildlife Demonstration Area (WDA)", "**Special Use Area (SUA)**", "State Park-Conservation Area (SP-CA)", or "National Wildlife Refuge (NWR)".

**ZONE** - Any area defined or delineated by the Commission where hunting and/or fishing activities are regulated for that specific area.

**37.04**  
08-02

**BAITFISH TACKLE RESTRICTIONS.** It shall be unlawful to use tackle for taking baitfish from public waters other than as specified herein. Only baitfish may be retained for bait and all other species of fish are immediately returned to the waters where taken.

- (A) Seines not in excess of fifty (50) feet in length and four (4) feet in depth with square mesh of one-fourth (1/4) inch;
- (B) Square traps or lifts not exceeding six (6) feet by six (6) feet by three (3) feet in depth and round traps not exceeding three (3) feet in diameter and six (6) feet in length with **up to one-half (1/2)** inch wire or mesh and throat size of 2 inches square mesh.
- (C) Throw nets and casting nets with square mesh not larger than one (1) inch, or shad trawl nets with square mesh not larger than one (1) inch.
- (D) Plastic, glass or **wire mesh minnow** traps not in excess of one (1) gallon capacity with throat size of not more than 1.5 inches;
- (E) Hand operated dip nets or lifts with up to one (1) inch square bar mesh used to take legal **baitfish** for personal use while in the act of sport fishing day or night, and all other species of fish are immediately returned to the waters where taken;
- (F) The use of any seine, lift, throw net or shad trawl net at night other than as specified in Commission Code 37.04-E is prohibited.

**PENALTY:** \$100.00 to \$1,000.00.

**38.09**  
09-97/08-00

**MUSSEL SANCTUARY ZONE.** It shall be unlawful to take, attempt to take, or possess mussels in the **following areas: Black River in Clay County from ¼ mile upstream to ¼ mile downstream of the Hwy 412 (62) bridge; Ouachita River upstream from Hwy 79B bridge at Camden, Spring River upstream of Hwy 62 bridge at Imboden; St. Francis River in St. Francis County from I-40 bridge downstream to the Hwy 50 bridge at Madison; St. Francis River from the mouth of the Tyronza River to the operational railroad bridge, White River in Monroe County closed from the mouth of Roc Roe Bayou 3 ½ miles downstream to the mouth of Big Creek. White River closed from Cooper Bend (river mile 232.3) in Jackson County for 2.3 miles downstream to Shaden Bend (river mile 230) in Woodruff County;** and Cache River from mouth of Bayou DeView to confluence with the White River.

**PENALTY: \$100.00 to \$1,000.00.**

**Section 39.00  
Aquatic Turtle Regulations**

- 39.01 Aquatic Turtle Harvest Permit Requirements.**
- 39.01(A) Aquatic Turtle Dealer Permit Requirements.**
- 39.01(B) Non-Resident Aquatic Turtle Dealer Permit Requirements.**
- 39.01(C) Aquatic Turtle Farmer Permit Requirements.**
- 39.02 Commercial Aquatic Turtle Harvest Restrictions.**
- 39.09 Alligator Snapping Turtle Breeder/Dealer Permit Requirements.**

**39.01 09-06 AQUATIC TURTLE HARVEST PERMIT REQUIREMENTS.** It shall be unlawful for any individual to: (1) operate any tackle for the purpose of taking aquatic turtles for commercial purposes; or (2) engage in the sale of aquatic turtles without first obtaining a Commercial Fisherman Permit and Sportfishing License and an Aquatic Turtle Harvest Permit; or (3) fail to provide an invoice for each sale transaction sale of turtles. Required information on the invoices is as follows: name, permit number, purchaser's name and permit number, date of sale, body of water taken from, county taken from, species and number of turtles and the seller's and buyer's signatures (Note: this information is found on the triplicate copy of each turtle harvest report form provided by the Commission). Non-residents are not permitted to harvest aquatic turtles. (Permittees must comply with reporting requirements see Code 39.05.)

**EXCEPTIONS:**

- (1) A person with an Aquatic Turtle Harvest Helper Permit in his immediate possession may assist in taking aquatic turtles and operate the properly tagged tackle of a licensed aquatic turtle harvest permittee.
- (2) Individuals under age 16, possessing a Junior Aquatic Turtle Harvest Permit may harvest and sell aquatic turtles to possessors of an Aquatic Turtle Dealer Permit or Non-Resident Aquatic Turtle Dealer Permit.
- (3) Aquatic turtles taken in compliance with Code 37.07 Aquatic Pet Restrictions may be kept as pets but not sold, bartered or traded.
- (4) Fish Farmer Permittees and their employees may remove aquatic turtles from those specific ponds, impoundments, and drainages where valid fish farming operations are occurring and release them back into the wild at another location. (See also Code 39.02 Exception 2)
- (5) Fish Farmer Permittees must obtain an Aquatic Turtle Harvest Permit or Aquatic Turtle Farmer Permit if they intend to sell turtles taken from their property.
- (6) Private pond/lake owners when involved in taking and removing aquatic turtles for non-commercial purposes from their pond/lake and release them back into the wild at a different location.

PENALTY: \$500.00 to \$5,000.00. Equipment used in such violations (including but not limited to nets, traps and boats) may be confiscated in accordance with Codes 1.00-D and 1.00-J.

**39.01(A)**

09-05/09-06

**AQUATIC TURTLE DEALER PERMIT REQUIREMENTS.** It shall be unlawful for any individual or enterprise to engage in the harvest, propagation, purchase and resale, or export of aquatic turtles without first obtaining a Commercial Fisherman Permit and Sportfishing License (CFS) and an Aquatic Turtle Dealer Permit. Such permits may be granted in accordance with Commission requirements, including:

- (A) If turtles are to be held for over 30 days, a site plan must be provided with the permit application to include a legal (Section, Township, and Range) and physical (geographic) description of all facilities, ~~to include and sketch map showing the location and approximate size of all ponds/impoundments used to hold and/or propagate aquatic turtles. holding ponds, to be used to hold aquatic turtles must be provided on the application form if aquatic turtles are to be held or propagated in ponds.~~
- (B) All sites shall be inspected and approved by Commission personnel prior to issuance of a permit.
- (C) Holding ponds/impoundments shall be fenced and maintained in such manner as to prevent the egress of captives and ingress of wild stock.
  - (D) Facilities shall be subject to inspection with prior notice by Commission personnel.
- (E) Permit holders who harvest turtles must complete monthly reports as specified in Code 39.05.
- (F) Fish farmers with an aquaculturist permit are exempt from having to obtain a Commercial Fisherman Permit and Sportfishing License.
- (G) Fish markets selling only dressed turtles for human consumption within the state of Arkansas are exempt from having to obtain an Aquatic Turtle Dealer Permit.
- (H) A bill of sale or true bill of lading must be immediately supplied to each purchaser of turtles indicating the species, number of turtles sold, name of purchaser, and name and permit number of aquatic turtle dealer permittee making the transaction, and it must accompany the shipment to the final destination.
- (I) The name and address of the consignor and consignee and the permit number must be indicated on a true bill of lading or bill of sale for turtles shipped or transported in intrastate and interstate commerce. Aquatic turtle dealer permittees may have turtles transported by their authorized representatives if accompanied with a true bill of lading or bill of sale, indicating permit number, species, number of turtles sold, name of purchaser, and name

and permit number of aquatic turtle dealer permittee making the transaction. The true bill of lading must accompany a shipment to the final destination.

- (J) The original aquatic turtle dealer permittee's permit number must be indicated on each and every bill of sale, invoice or bill of lading covering for each turtle transaction.

PENALTY: \$500.00 to \$5,000.00. Equipment used in such violations (including but not limited to nets, traps and boats) may be confiscated in accordance with Codes 1.00-D and 1.00-J.

**39.01(B) NON-RESIDENT AQUATIC TURTLE DEALER PERMIT REQUIREMENTS.**

09-05/09-06

It shall be unlawful for non-residents to engage in the purchase and sale of aquatic turtles within the state or export across state lines without first obtaining a Non-Resident Aquatic Turtle Dealer Permit. Such permits may be granted in accordance with Commission requirements, including:

- (A) A bill of sale or true bill of lading must be immediately supplied to each purchaser of turtles indicating the species, number of turtles sold, name of purchaser and name and permit number of aquatic turtle harvest/dealer/farmer permittee making the transaction, and it must accompany the shipment to the final destination.
- (B) The name and address of the consignor and consignee and the permit number must be indicated on a true bill of lading or bill of sale for turtles shipped or transported in intrastate and interstate commerce. Non-resident aquatic turtle dealer permittees may have turtles transported by their authorized representatives if accompanied with a true bill of lading or bill of sale, indicating permit number, species, number of turtles sold, name of purchaser, and name and permit number of aquatic turtle harvest/dealer/farmer permittee making the transaction. The true bill of lading must accompany a shipment to the final destination.
- (C) The original aquatic turtle harvest/dealer/farmer permittee's permit number must be indicated on each and every bill of sale, invoice or bill of lading covering each turtle transaction.
- (D) Non-residents may purchase aquatic turtles from holders of Aquatic Turtle Dealer/Farmer Permits without purchasing a Non-Resident Aquatic Turtle Dealer Permit if turtles are being shipped out of state to the buyer or the buyer is picking up and transporting a purchase directly out of the state.

PENALTY: \$500.00 to \$5,000.00. Equipment used in such violations (including but not limited to transport vehicles) may be confiscated in accordance with Code 1.00-D.

**39.01(C)**  
**09-06**

**AQUATIC TURTLE FARMER PERMIT REQUIREMENTS.** It shall be unlawful for any individual or enterprise to engage in the propagation, sale, or export of propagated aquatic turtles (See E below) without first obtaining an Aquatic Turtle Farmer Permit. Such permits may be granted in accordance with Commission requirements and permittees must adhere to the conditions, as listed:

- (A) A site plan, to include a legal (Section, Township and Range) and physical (geographic) description of all facilities, to include the location and approximate size of ponds/impoundments used to hold aquatic turtles, must be provided on the permit application form. ~~to the Chief of the Fisheries Division.~~
- (B) All sites shall be inspected and approved by Commission personnel prior to issuance of a permit.
- (C) Holding ponds/impoundments shall be fenced and maintained in such manner as, to prevent egress of captives and ingress of wild stock.
- (D) Facilities shall be subject to inspection with prior notice by Commission personnel.
- (E) Aquatic Turtle Farmer Permittees are allowed to propagate, purchase and sell only captive produced turtles. This permit does not allow for the purchase, barter, trade, exchange, or sale of wild caught turtles of any size.
- (F) A bill of sale or true bill of lading must be immediately supplied to each purchaser of turtles indicating the species, number of turtles sold, name of purchaser, and name and permit number of aquatic turtle farmer permittee making the transaction, and it must accompany the shipment to the final destination.
- (G) The name and address of the consignor and consignee and the permit number must be indicated on a true bill of lading or bill of sale for turtles shipped or transported in intrastate and interstate commerce. Aquatic turtle farmer permittees may have turtles transported by their authorized representatives if accompanied with a true bill of lading or bill of sale, indicating permit number, species, number of turtles sold, name of purchaser, and name and permit number of aquatic turtle farmer permittee making the transaction. The true bill of lading must accompany a shipment to the final destination.
- (H) The original aquatic turtle farmer permittee's permit number must be indicated on each and every bill of sale, invoice or bill of lading covering each turtle transaction.

PENALTY: \$500.00 to \$5,000.00.

**39.02**  
**08-90/09-06**

**COMMERCIAL AQUATIC TURTLE HARVEST RESTRICTIONS.**

It shall be unlawful to take aquatic turtles for commercial purposes by any means other than hoop net or box type turtle traps in the following counties and/or bodies of water:

Arkansas, Ashley, Bradley, Calhoun, Chicot, Cleveland, Clay, Columbia, Craighead, Crittenden, Cross, Dallas, Desha, Drew, Grant, Greene, Hempstead, Jackson, Jefferson, Lafayette, Lawrence (see Exception 4), Lee, Lincoln, Little River, Lonoke, Miller, Mississippi, Monroe, Nevada, Ouachita, Phillips, Poinsett, Prairie, Pulaski, Randolph (see Exception 4), St. Francis, Saline, Union, White, Woodruff, and the Arkansas River, from its mouth to the Arkansas/Oklahoma state line, including that part of the Arkansas River from the Ozark Dam to the Arkansas-Oklahoma state line, bounded on the north by the Union Pacific Railroad and on the south by Highway 22 (In compliance with Code 41.19). Arkansas waters between the main levees of the Mississippi River. All lakes, bays or other bodies of water, other than tributary streams, connected to waters as specified above, when accessible by boat, from the main channel except as limited by Section 30.00 (Reciprocal License Agreements). When a river or stream forms the boundary between opened and closed counties, that boundary segment shall be open to tackle legal in the open county.

**EXCEPTIONS:**

- (1) Only box type turtle traps may be used in counties or waters not specifically opened to hoop net turtle traps as listed above.
- (2) Fish farmers operating under a valid Fish Farmer's (Aquaculturist's) Permit may take aquatic turtles on those specific ponds, impoundments and drainages where valid fish farming operations are occurring. (See Exception 3, Code 39.01)
- (3) Bayou Meto Bayou, in accordance with Code 44.01, Closure to All Commercial Harvest - Bayou Meto Bayou, is closed to all commercial harvest.
- (4) The following waters are closed to hoop net traps:  
Eleven-Point River in Randolph County; Spring River in Lawrence and Randolph counties; Lake Erling, including all tributaries upstream from 100 yards below Lake Erling Dam to State Highway 313 in Lafayette County; all lakes owned by the Arkansas Game and Fish Commission(excluding all natural or channel scar lakes on WMAs located in counties listed above), Lake Columbia in Columbia County, Horseshoe Lake in Crittenden County, Lake Wallace in Drew and Chicot Counties, Upper and Lower Lake Chicot (Connerly Bayou to Ditch Bayou Dam inclusive) in Chicot County and Grand Lake in Chicot County.
- (5) U.S. Forest Service lakes, State Park lakes and lakes owned by municipalities or property-owner associations are closed to commercial turtle trapping, unless specifically opened.
- (6) **Turtle eggs shall not be harvested from the wild.**
- (7) Turtles caught with commercial fishing gear, in waters open to commercial fishing, may be kept by those in possession of an Aquatic Turtle Harvest or Aquatic Turtle Dealer permit.



**PENALTY:** \$100.00 to \$1,000.00. Equipment used in such violations (including but not limited to nets, traps and boats) may be confiscated in accordance with Codes 01.00-D and 01.00-J.

**39.09**

02-98/09-05

**ALLIGATOR SNAPPING TURTLE BREEDER/DEALER**

**PERMIT REQUIREMENTS.** It shall be unlawful to possess, buy or sell alligator snapping turtles without first obtaining an Alligator Snapping Turtle Breeder/Dealer Permit. Such permits may be granted in accordance with Commission requirements, including:

- (A) A site plan, to include physical and geographic description, of all facilities to be used to hold alligator snapping turtles must be provided to the Fisheries Division Chief.
- (B) All sites shall be inspected and approved by Commission personnel prior to issuance of a permit.
- (C) Holding ponds/impoundments shall be fenced and maintained in such manner as to prevent egress of captives and ingress of wild stock.
- (D) Facilities shall be subject to random inspection by Commission personnel in the performance of their duties.
- (E) Alligator Snapping Turtle Breeder/Dealer Permit holders are the only allowed source for the purchase of alligator snapping turtles and alligator snapping turtle eggs.
- (F) Transport of alligator snapping turtles must be accompanied by a bill of sale or bill of lading and must contain the following information: name, address, and telephone number of buyer, name and permit number of breeder/dealer, and number of turtles.
- (G) Permit holders must complete monthly reports as detailed in Code 39.10.
- (H) Alligator snapping turtles in excess of five (5) inches curved carapace length may not be sold, bartered, traded, or transferred without prior written approval of the Commission. An affidavit (form provided by the Commission) specifying: transaction type (transfer or sale), party type (individual or business), turtle species, and number of turtles, must be submitted to the Commission.

**PENALTY:** \$500.00 to \$1,000.00. Any offense may result in permanent permit revocation and stock confiscation in accordance with Code 11.05, Revocation of Privileges.

**41.03**

09-06

**COMMERCIAL TACKLE RESTRICTIONS.** It shall be unlawful to use nets, seines, leads, heart and leads or wings or trotlines other than as specified herein:

- (A) Hoop nets, leads, heart and leads or wings minimum square bar mesh size - two and one-half (2 1/2) inches when wet and with thread not less than fifteen (15) gauge.

- (B) Fiddler nets (where permitted by Code 41.24) minimum square bar mesh size one and one-half (1 1/2) inches when wet. Thread size not less than fifteen (15) gauge. Wings or leads prohibited.
- (C) Commercial fish seines, minimum square bar mesh size - three and one-half (3 1/2) inches. ~~with thread not less than fifteen (15) gauge when wet.~~
- (D) Commercial gill and trammel nets, minimum square bar mesh size - three and one half (3 1/2) inches.
- (E) Trotlines must be run daily and catch removed.

**EXCEPTION:**

- (1) For purposes of taking paddlefish in the Arkansas River above Dam 2 during the paddlefish season, Roe Buyer/Exporter and Roe Taker/Seller permit holders are required to use six (6) inch or larger square bar mesh nets. it shall be unlawful to fish or possess any nets other than 3 1/2 inch mesh or 6-inch or larger mesh in the same waters while fishing for paddlefish.

**PENALTY:** \$100.00 to \$1,000.00.

**41.05**  
08-03

**COMMERCIAL FISHERMAN'S PERMIT AND REPORTING**

**REQUIREMENTS.** It shall be unlawful to purchase commercial tackle tags or to operate commercial tackle without first obtaining a current Commercial Fisherman's Permit and Sportfishing License. A bill of sale or Receipt of Transfer with permit number must accompany all sales to fish markets, processors, or retailers of fish or parts thereof in each transaction. Said bill of sale shall be retained by the purchaser for a period of twelve (12) months and made available for inspection by a Commission Wildlife Officer.

**EXCEPTIONS:**

- (1) Applies only to the first sale of commercial fish or parts thereof from a commercial fisher to a fish market, processor or retailer.
- (2) Individuals under age 16, or age 65 or over, will be required to purchase a Junior/Senior Commercial Fishing Permit only if they plan to sell commercial species of fish.
- (3) A person with a Commercial Fisherman Helper's Permit in his immediate possession may operate the properly tagged tackle of a licensed commercial fisherman. The holder of a Commercial Fishermen's Permit and Sportfishing License holder shall be fully responsible for supervising the actions of the person using the Commercial Fisherman Helper's Permit.

**PENALTY:** \$100.00 to \$1,000.00.

**41.05(A)**  
12-01/09-06

**RESIDENT ROE TAKER/SELLER PERMIT REQUIREMENTS.** It shall be unlawful to take, sell or possess paddlefish (also called spoonbill catfish) or sturgeon, or their parts, including eggs (roe), without first obtaining a current Resident Roe Taker/Seller Permit. A commercial fishing license is required to purchase a Resident Roe Taker/Seller Permit.

**EXCEPTIONS:**

- (1) A person with a Resident Roe Taker/Helper Permit may harvest or assist in the harvest of paddlefish or sturgeon when in the immediate presence of a permitted Roe Taker/Seller. The holder of a Roe Taker/Seller or Roe Buyer/Exporter Permit shall be fully responsible for supervising the actions of the person using the Roe Taker/Helper's Permit.
- (2) Sportfishermen in compliance with Code 31.01B, Game Fish Possession Limit Restrictions.
- (3) Permitted fish farmers in compliance with Code 42.10, Paddlefish, Sturgeon and Bowfin Roe Regulations.
- (4) Paddlefish and sturgeon flesh (meat) only may be sold in compliance with Code 41.06.
- (5) **Paddlefish/sturgeon flesh and/or roe can be transported by an authorized representative of a legally permitted Resident RoeTaker/Seller if accompanied by a true bill of lading or bill of sale indicating name and permit number of the authorizing Resident Taker/Seller and including the species, number of pounds of roe or flesh per species, and if being sold, the name of the purchaser. A true bill of lading or bill of sale must accompany the shipment to the final destination.**

**PENALTY:** \$500.00 to \$1,000.00 and fishing privileges may be suspended in accordance with Code 11.05, Revocation of Privileges.

**41.09**  
**08-06**

**RESTRICTED COMMERCIAL FISHING IN ARKANSAS RIVER**

**NAVIGATION SYSTEM.** It shall be unlawful to fish with gill nets, trammel nets, **trotlines, snaglines and hoop nets** in waters specified herein:

- (A) From Dam No. 1 to the Arrival Point sign at approximate river mile 9.8;
- (B) From Dam No. 2 to the mouth of Morgan Cut-Off;
- (C) From Lock & Dam No. 3 to the Arrival Point sign at approximate river mile 49.6;
- (D) From Lock & Dam No. 4 to the Arrival Point sign at approximate river mile 65.4;
- (E) From Lock & Dam No. 5 to the Arrival Point sign at approximate river mile 85.8;
- (F) From David D. Terry Lock & Dam to the Arrival Point sign at approximate river mile 107.5;
- (G) From Murray Lock & Dam to the Arrival Point sign at approximate river mile 124.7;
- (H) From Toad Suck Lock & Dam to the Arrival Point sign at approximate river mile 155.3;
- (I) From Lock & Dam No. 9 to the Arrival Point sign at approximate river mile 176.3;
- (J) From Dardanelle Lock & Dam to the Highway 7 bridge;

- (K) From Ozark Lock & Dam to the Arrival Point sign at approximate river mile 256.2;
- (L) From Lock & Dam No. 13 to the Arrival Point sign at approximate river mile 292.2.\

**EXCEPTION:**

- (1) Hoop nets may be fished below Dam 2 only when fished from the launching ramp below the dam on the Arkansas County side to the mid-point of the river and downstream to the boat ramp on the Desha County side and henceforth the entire river downstream to Morgan Cut-Off.

**PENALTY:** \$100.00 to \$1,000.00.

**41.12**  
08-06

**UNDERSIZED COMMERCIAL FISH PROHIBITED.** It shall be unlawful for commercial fishermen to possess catfish or buffalo fish less than 16 inches in length or paddlefish and sturgeon of any size taken from public waters.

**EXCEPTIONS:**

- (1) Twelve (12) inch or larger blue and channel catfish only may be taken in waters specified in Section 41.24.
- (2) Holders of a current Resident Roe Taker/Seller Permit or Resident Roe Buyer/Exporter Permit in compliance with Code 41.05(A) or Code 41.05(B) may possess paddlefish ~~in excess of 36~~ 37 inches or larger in Dardanelle and Ozark lakes of the Arkansas River, 36 inches or larger in the open portion of the Arkansas River below Dardanelle Lock and Dam ~~the open portion of the Arkansas River,~~ 32 inches or larger in body length in the open portion of the White River and 34 inches or larger in body length for all other waters open to paddlefish harvest or sturgeon when in season. Paddlefish shall be measured from front of eye to fork of tail with the fish laid flat on a rule.
- (3) See also 41.38 Harvest Restriction of Catfish and Sturgeon in the Mississippi River.
- (4) **It shall be unlawful for commercial fishermen to possess flathead catfish less than 20 inches in length on the Ouachita River from the confluence of the Little Missouri River to the confluence of the Caddo River.**
- (5) Sturgeon harvested from the waters legal for harvest must be at least 21 inches from the tip of the snout to the fork of the tail.
- (6) Effective January 2009, the Arkansas River from the Dardanelle Dam downstream to the Mississippi River will have a 37-inch minimum length limit on paddlefish.

**PENALTY:** \$100.00 to \$1,000.00 and fishing privileges may be suspended in accordance with Code 11.05, Revocation of Privileges.

~~41.21 ARKANSAS RIVER BELOW DAM NO. 2 COMMERCIAL FISHING~~  
~~08-01 RESTRICTIONS. It shall be unlawful to fish commercially on the~~

~~Arkansas River downstream from Dam No. 2 to the Morgan Cut-Off.~~

~~EXCEPTION:~~

- ~~(1) Hoop nets only when fished from the launching ramp below the~~  
~~dam on the Arkansas County side to the mid-point of the river~~  
~~and downstream to the boat ramp on the Desha County side~~  
~~and henceforth the entire river downstream to Morgan Cut-Off.~~

~~PENALTY: \$100.00 to \$1,000.00.~~

**41.24 POSSESSION AND USE OF FIDDLER SIZE HOOP NETS AND SLAT**  
**08-06 TYPE FISH TRAPS RESTRICTED TO CERTAIN PUBLIC**

**WATERS.** It shall be unlawful to use or possess fiddler size hoop nets or slat type fish traps in any public waters other than those specified herein:

- (A) Arkansas River, including impoundments thereon, from the mouth at the Mississippi River to Arkansas-Oklahoma State Line.
- (B) L'Anguille River from the mouth at the St. Francis River to the point of origin.
- (C) Little River from its mouth at to Corps of Engineers Boat Ramp on the west side of Little River below Millwood Dam.
- (D) All Arkansas waters of the Mississippi River bounding Arkansas.
- (E) Red River from the Louisiana State Line to the Oklahoma state line.
- (F) St. Francis River from the mouth at the Mississippi River to the Missouri state line in Clay County.
- (G) Old Town Lake, Phillips County.
- (H) White River from Interstate 40 bridge to its mouth.
- (I) All lakes, bays or other bodies of water, other than tributary streams, connected to waters specified, when accessible by boat from the main channel.
- (J) Bay Ditch, (Cross, Poinsett and Craighead Counties) from its mouth upstream to U.S. Highway 63 in Craighead County.
- (K) St. Francis Floodway Diversion Ditch from its mouth upstream to U.S. Highway 63 in Poinsett County.
- (L) Cypress Bayou (Whiskey Chute) in Phillips County (Slat traps only).

**EXCEPTIONS:**

- (1) Fiddler size hoop nets prohibited in Arkansas River from the State Highway 7 Bridge, Yell County, to the Arkansas-Oklahoma State Line; in the White River from Interstate 40 bridge to its mouth; and all lakes, bays or other bodies of water connected to White River as specified, whether or not accessible by boat from the main channel; and in Old Town Lake, Phillips County.
- (2) Slat traps may be fished from Noon September 30 to Noon June 1 only in Millwood Lake and year-round in Little River above Millwood Lake to the Oklahoma state line.

- (3) Sixteen inch size limit on blue catfish taken by commercial gear in the Arkansas River from the Hwy 7 bridge (Yell County) to the Oklahoma state line.

**PENALTY:** \$100.00 to \$1,000.00.

**41.30**  
02-07

**PADDLEFISH AND STURGEON POSSESSION RESTRICTIONS ON WHITE RIVER, ARKANSAS RIVER AND BORDER WATERS.** It shall be unlawful to commercially take or possess paddlefish (also called spoonbill catfish) or sturgeon, or their parts including eggs (roe), from

- (A) That part of the White River, from Hwy 67 bridge at Newport, upstream to Dam 1 at Batesville.
- (B) The following border waters with Louisiana: Red River in Hempstead, Lafayette, Little River, and Miller counties; Ouachita River from the Louisiana State Line to 100 yards below Felsenthal Lock and Dam; Bayou Bartholomew from the Louisiana state line to its source in Jefferson County; Bodcau Bayou from the Louisiana state line to the base of Lake Erling Dam; Boeuf River from the Louisiana state line to its source in Chicot County; and Bayou Macon from the Louisiana state line to its source in Desha County.
- (C) The portion of the Arkansas River extending from Ozark Trimble Lock and Dam upstream to the Arkansas/Oklahoma State line year-round except for during permitted special seasons as determined by the Director of the Arkansas Game and Fish Commission.

**EXCEPTION:**

- (1) ~~Ozark Pool will be open to paddlefish and shovelnose sturgeon harvest from November 15, 2006 through March 31, 2007.~~

**PENALTY:** ~~\$500.00 to \$1,000.00~~ \$1,000 to \$2,500 and fishing privileges may be suspended in accordance with Code 11.05, Revocation of Privileges

**41.33**  
10-02/08-05

**CUTTING OR MUTILATION OF PADDLEFISH AND STURGEON PROHIBITED.** It shall be unlawful to possess a cut or mutilated paddlefish or sturgeon while on the water unless the eggs have been removed (mutilation includes tearing or disfiguring of paddlefish in any way near the vent area). A 12-gauge needle may be used to determine the presence of eggs. Eggs may not be removed from harvested fish while on the water unless a minimum 2-inch portion of each ovary remains attached in each fish. Eggs must be kept in separate containers, one fish only per container.

**EXCEPTION:**

- (1) Fish may be blocked out but the carcass must be at least the legal minimum length limit for the water body where the fish was taken.

**PENALTY:** ~~\$500.00 to \$1,000.00~~ \$1,000 to \$2,500 and fishing privileges may be suspended in accordance with Code 11.05, Revocation of Privileges.

**41.39**

12-01/10-02

**PADDLEFISH AND STURGEON HARVEST RESTRICTIONS.**

It shall be unlawful to take from public waters or possess paddlefish (also called spoonbill catfish) or sturgeon, or their parts, including eggs (roe), during the period of Noon, ~~April 15~~ March 31<sup>st</sup> to Noon, December 1<sup>st</sup> ~~November 15~~.

**EXCEPTIONS:**

- (1) Permitted Resident Roe Buyers/Exporters and permitted Non-Resident Roe Buyers may possess processed roe only with proper reports of transactions described in Code 41.05(C).
- (2) Sportfishermen in compliance with Code 31.01B, Game Fish Possession Limit Restrictions.
- (3) Permitted fish farmers in compliance with Code 42.10, Paddlefish, Sturgeon and Bowfin Roe Regulations.
- (4) Sturgeon may be taken until Noon, May 1.

**PENALTY:** ~~\$500.00 to \$1,000.00~~, \$1,000 to \$2,500 and fishing privileges may be suspended in accordance with Code 11.05, Revocation of Privileges.